

## **BILL ANALYSIS**

H.B. 1746  
By: Hunter  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law allows for children 14 or older who are adopted out of Texas Department of Protective and Regulatory Services (TDPRS) custody to receive state higher education tuition and fees exemptions. This program gives an incentive for potential adoptive parents to adopt the older children who remain under TDPRS custody after their 14th birthday.

The state spends over \$21,000 in direct payments per year and per child that is under TDPRS custody. Not only does the state have a great interest in placing these children in loving homes, but there is also a significant opportunity for the state to save funds by decreasing the number of children cared for under TDPRS custody.

HB 1746 expands this tuition and fee exemption to apply to all children adopted out state custody who at the time of the adoption are subject to an adoption assistance agreement. Adoption assistance agreements are extended to children who have projected difficulties--whether medical, emotional, or otherwise--that justify the state's continued assistance to the family after the child has been adopted.

HB 1746 offers an incentive for parents to adopt these special children, it offers the children an incentive to pursue higher education goals, and over time it will save the state money by reducing the number of children under TDPRS custody.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

HB 1746 amends Subchapter D, Chapter 54, of the Education Code by adding Section 54.2111 to exempt a student who was adopted or the subject of an adoption assistance agreement under Subchapter D, Chapter 162, Family Code from the payment of tuition and fees at an institution of higher education. The bill provides that this Act would apply beginning with the 2003 fall semester.

### **EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.